



El Paso County

June 16, 2025

Director Rosie Hidalgo
Office on Violence Against Women
145 N Street, NE
Suite 10 W. 121
Washington, DC 20530

Re: HIV Assurance

Dear Director Hidalgo:

As the Authorized Representative of El Paso County, I certify that El Paso County laws, regulations, or policies will be in compliance with the requirements of 34 U.S.C. § 10461(d) by the period ending on the date on which the next session of the state legislature ends, June 2027.

(A) The state or unit of local government at the request of a victim to administer to a defendant, against whom an information or indictment is presented for a crime in which by force or threat of force the perpetrator compels the victim to engage in sexual activity, testing for the immunodeficiency virus (HIV) not later than 48 hours after the date on which the information or indictment is presented and defendant is in custody or has been served with the information or indictment;

(B) as soon as practicable notification to the victim, or parent and guardian of the victim, and defendant of the testing results; and

(C) follow-up tests for HIV as may be medically appropriate, and that as soon as practicable after each such test the results be made available in accordance with subparagraph (B).

I further acknowledge that should [insert jurisdiction name] receive an Improving Criminal Justice Responses Program award, five percent of the total award will be withheld until such time that OVW receives and approves documentation that supports our compliance with the HIV provision described above. Acceptable documentation includes statutes, regulations, or written policies. Failure to submit the necessary documentation by the end of our next state legislative session will result in the forfeiture of the five percent of funds.

Sincerely,

Ricardo A. Samaniego
County Judge

